



CITY OF SUNNYVALE ADMINISTRATIVE HEARING

**MINUTES
Thursday, March 2, 2006**

2006-0087 – Application for a Variance on a 6,211 square-foot site from Sunnyvale Municipal Code section 19.34.040 to allow a six-foot setback where nine feet is required. The property is located at **734 Ashbourne Dr** (near E Fremont Ave) in an R-0 (Low-Density Residential) Zoning District. (APN: 309-06-016)

In attendance: Lorraine Guerrero, Applicant; Robert Harms, Neighbor; Andrew Miner, Administrative Hearing Officer; Steve Lynch, Project Planner; Luis Uribe, Staff Office Assistant.

Mr. Andrew Miner, Administrative Hearing Officer, on behalf of the Director of Community Development, explained the format that would be observed during the public hearing.

Mr. Miner announced the subject application.

Steve Lynch, Project Planner, stated that the applicant is proposing an addition of 290 square feet to an existing 1,798 square foot single-story residence. The addition is proposed in the rear and reducible front yard areas, and the house will total 2,088 square feet when completed. The scope of the project is to expand one of three bedrooms into a master suite. The proposed home will have three bedrooms, family room, living room, kitchen, and a two-car garage.

As part of the project, the applicant is requesting that a portion of the new addition be constructed six feet from the property line, where nine feet is the minimum allowed by Sunnyvale Municipal Code (SMC). This street side yard is considered a front yard area and requires a 20-foot setback but is allowed to be reduced under SMC 19.34.040 to a minimum of nine feet. Staff could not make 2 of the 3 Findings. Therefore staff does not recommend approval.

Mr. Miner opened the public hearing.

Lorraine Guerrero, Applicant, received and reviewed a copy of the staff report. The applicant gave a brief statement on other properties in the neighborhood that have constructed a similar addition. Ms. Guerrero noted that the reason for this addition is to accommodate a handicapped person.

Mr. Miner stated that in order to pass a variance the project has to meet certain Findings. Mr. Miner asked the applicant if there was something unusual about the property that would prohibit the addition meeting the required set-back. The applicant stated that the addition is to help accommodate a person with special needs.

Robert Harms, Neighbor, stated that the corner lot is a hazard as far as the field of view is concerned.

Lorraine Riess, Designer, stated that Mr. Harms statements were related more to parking issues.

Mr. Miner closed the public hearing.

Mr. Miner denied the application due to the inability to meet the Findings.

Mr. Miner stated that the decision is final unless appealed to the Planning Commission with payment of the appeal fee within the 15-day appeal period.

The meeting was adjourned at 2:34 p.m.

Minutes approved by:
Andrew Miner, Principal Planner